



E.O.
#16
4-25-01

**NOTICE OF APPEAL FROM THE EXAMINER TO THE
BOARD OF PATENT APPEALS AND INTERFERENCES**

Docket Number:
KLR:7146.008

RECEIVED

In re Application of Westerman, Larry

Application Number: 08/985,576

Filed: 12/05/97

APR 20 2001

For: DOCUMENT CLASSIFICATION SYSTEM

Technology Center 2600

Group Art Unit 2721

Examiner: Desire, G

Applicant hereby appeals to the Board of Patent Appeals and Interferences from the decision of the examiner dated, March, 27, 2001 rejecting claims: 1-5, 7-14, and 16-36

The fee for this Notice of Appeal is (37 C.F.R. 1.17(b):

\$620

- Applicant claims small entity status. See 37 C.F.R. 1.27. Therefore, the fee shown above is reduced by half, and the resulting fee is:
- A check in the amount of the fee is enclosed.
- Payment by credit card. Form PTO-2038 is attached.
- The Commissioner has already been authorized to charge fees in this application to a Deposit Account. I have enclosed a duplicate copy of this sheet.
- The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment to Deposit Account No. 03-1550 have enclosed a duplicate copy of this sheet.
- A petition for an extension of time under 37 C.F.R. 1.136(a) (PTO/SB/22) is enclosed.

WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.

I am the:

- applicant.
- assignee of record of the entire interest.
- attorney or agent of record.
- attorney or agent acting under 37 CFR 1.34(a)
Registration number if acting under 37 CFR 1.34(a)

Signature

Kevin L. Russell - Reg. # 38,292

Typed or printed name

April 17, 2001

Date



1-19-01

8AP
GP2721 w

APR 17 2001

TRANSMITTAL FORM <i>(to be used for all correspondence after initial filing)</i>		Application Number	08/985,576	
		Filing Date	12/5/97	RECEIVED
		First Named Inventor	Westerman, Larry	APR 20 2001
		Group Art Unit	2721	Technology Center 2600
		Examiner Name	Desire, G.	
Total Number of Pages in this Submission	18	Attorney Docket Number	KLR:7146.008	

<input checked="" type="checkbox"/> Fee Transmittal Form <input checked="" type="checkbox"/> Fee Attached (\$620) <input type="checkbox"/> Amendment/Response □ After Final <input type="checkbox"/> Affidavit(s)/Declaration(s) <input type="checkbox"/> Extension of Time Request <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Missing Part(s)/Incomplete Application □ Response to Missing Parts under 37CFR 1.52 or 1.53	<input type="checkbox"/> Assignment Papers (for an application) <input type="checkbox"/> Drawings <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition To Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation, Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s) _____	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input checked="" type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Status Letter <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) 1. Confirmation Postcard	
Remarks:			

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT

Firm or Individual Name	Kevin L. Russell, Reg. No. 38,292 Chernoff, Vilhauer, McClung & Stenzel, LLP
Signature	
Date	April 17, 2001

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as Express Mail No. EL630674625US in an envelope addressed to: Commissioner for Patents, Washington, D.C. 20231 on this date.

Type or print name	Kevin L. Russell		
Signature		Date	April 17, 2001

APR 17 2001

PATENT & TRADEMARK OFFICE
U.S. DEPARTMENT OF COMMERCE

FEET TRANSMITTAL for FY 2001

Patent fees are subject to annual revision.

TOTAL AMOUNT OF PAYMENT \$620

Complete If Known

Application No. 08/985,576

Filing Date 12/05/97

First Named Inventor Westerman, Larry

Examiner Name Desire, G.

Group/ Art Unit 2721

RECEIVED

APR 20 2001

Technology Center 2600

Atty. Docket No. KLR:7146.008

METHOD OF PAYMENT (check one)

- The Commissioner is hereby authorized to charge the indicated fees and credit any over payments to:

Deposit Account Number 03-1550

Deposit Account Name Chernoff Vilhauer McClung & Stenzel

- Charge any additional fee required under 37 CFR 1.16 & 1.17

- Payment Enclosed

Check Money Order Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
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101 710 201 355 Utility filing fee

106 320 206 160 Design filing fee

107 490 207 245 Plant filing fee

108 710 208 355 Reissue filing fee

114 150 214 75 Provisional filing fee

SUBTOTAL (1) \$0

2. EXTRA CLAIM FEES

Total Claims	-20*	=	X	18	=
Indep. Claims	-3*	=	X	80	=
Multiple Dependent					=

*or number of previously paid, if greater. For reissues, see below.

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
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103 18 203 9 Claims in excess of 20

102 80 202 40 Independent claims in excess of 3

104 270 204 135 Multiple dependent claim, if not paid

109 80 209 40 *Reissue independent claims over original patent

SUBTOTAL (2) \$0

3. ADDITIONAL FEES

Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge - late filing fee or oath	
127	50	227	25	Surcharge-late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2,520	147	2,520	For filing a request for reexamination	
112	920*	112	920*	Requesting publication of SIR prior to Examiner action	
113	1840*	113	1840*	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1,390	218	695	Extension for reply within fourth month	
128	1,890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	310
120	310	220	155	Filing a brief in support of an appeal	310
121	270	221	135	Request for oral hearing	
138	1,510	138	1,510	Petition to institute a public use proceeding	
140	110	240	55	Petition to revive - unavoidable	
141	1,240	241	620	Petition to revive - unintentional	
142	1,240	242	620	Utility issue fee (or reissue)	
143	440	243	220	Design issue fee	
144	600	244	300	Plant issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional applications	
126	180	126	180	Submission of Information Disclosure Statement	
561	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 C.F.R. 1.129(a))	
149	710	249	355	For each additional invention to be examined (37 C.F.R. 1.129(b))	
179	710	279	355	Request for Continued Examination (RCE)	
169	900	169	900	Request for expedited examination of a design application	
Other fee (specify)					

• Reduced by Basic Filing Fee Paid

SUBTOTAL(3) \$620

SUBMITTED BY

Complete (if applicable)

Name (print type)	Kevin L. Russell	Reg. No.	38,292	Telephone	(503) 227-5631
Signature				Date	4/17/01